

REMARKS

Reconsideration and allowance of the present application in view of the following remarks and amendments are respectfully requested.

Currently, claims 1, 22, and 25-46 remain pending in the present application including independent claims 1, 22, 38, 40, and 45. Please note that the in Office Action, claim 22 was not listed as pending in the disposition of claims. Applicants seek to point out that Claim 22 has not been cancelled and should still be pending in the present application.

The present invention is generally directed to a method and device for mixing fibrous components. To facilitate examination, the Applicants provide the stated objection or rejection expressed by the Examiner in the Office Action mailed January 9, 2004, followed by the action to overcome the particular objection or rejection and place the application in condition for allowance.

Information Disclosure Statement

The two information disclosure statements filed by Applicants were objected to for failing to comply with 37 C.F.R. §1.98(a)(2), as set forth in Paragraph 1 of the Office Action. The references cited in the IDS's are submitted with this Amendment, and Applicants respectfully request for consideration of the references and notation of such in the record.

Drawings

The drawings were objected to because the captions on the graphs were not in English. Please find attached the replacement drawings for figures 3, 4, 5, and 6. The captions on the graphs are now in English and the corrected

drawings are labeled with "Replacement Sheet" on the header. Applicants respectfully request that the objection be removed.

Specification

Claim 25 was objected to because "the parenthetical statement renders the claim indefinite because it is unclear if the limitation in the parenthesis are intended to be part of the claimed limitations or not." Claim 25 has been amended to delete the parenthetical statement, and Applicants respectfully request that the objections be removed.

Claim Rejections – 35 USC §112

In the Office Action, claims 27, 33, 35, 36, 42, and 46 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement as set forth in Paragraph 4 of the Office Action. However, it is respectfully submitted that the present claims are described in the specification so as to reasonably convey to one skilled in the art that the inventor had possession of the claimed invention.

Claim 27 is directed to "[t]he method according to claim 1 characterized in that the duration of the weighing cycle is the same for the individual components." Support for claim 27 can be found in the specification which states, "[a]ll three components for the weighing cycle have the same time..." (Page 9, lines 19-20) Also, the specification states that "[a]ccording to the invention these three weighing feeders are coordinated in such a manner with one another as regards their filling speed that all three weighings are completed at the same time." (Page 13, lines 21-24)

Claim 33 is directed to “[t]he method according to claim 1 characterized in that the ejection of the weighed amounts of fiber onto the mixing belt begins successively and ends successively so that complete mixing packets are always produced.” The claimed subject matter can be found in the specification which states, “[I]n order to always have the same mixture at the beginning as well as at the end of a mixing batch the control can also be programmed in such a manner that the ejection of the weighed fiber amounts begins successively and ends successively so that complete mixture packets are always produced.” (Page 14, lines 6-9)

Claim 35 is directed to “[t]he method according to claim 34, characterized in that the empirical value for the optimization of the transport speed is approximately 50%.” Support for the claimed subject matter can be found in the specification which states “[a]ccording to a given basic adjustment the transport of material begins in the first weighing cycle with a transport speed of approximately 50%.” (Page 11, lines 9-10) The specification also states that “[a]s a rule [optimization of the transport speed] is achieved with approximately 50% of the transport speed.” (Page 12, lines 10-11)

Claim 36 is directed to “[t]he method according to claim 1 characterized in that the transport speed remains unchanged for the fine dosing independently of the changing of the transport speed for the material transport during the pre-filling and/or main filling.” Support for this claim is found in the specification which states, “[a]s soon as this first limiting [boundary] value of the coarse filling has been reached the needle belt is shifted to the low speed and the fine dosing

follows at this low speed until the desired final weight has been reached.” (Page 1, lines 23-26)

Claim 42 is directed to “[t]he device according to claim 40 characterized in that the holding capacity of the pre-filling chamber corresponds to the holding capacity of the weighing container.” The claimed subject matter can be found in the specification which states, “[l]arge pre-filling chamber 80 is arranged above weighing container 10, which chamber has approximately 80 % of the holding capacity of weighing container 10.” (Page 5, lines 25-27)

Claim 46 is directed to “[t]he control device according to claim 45 characterized in that the course of the weighing cycle is entered into the control device by the particular percentage amount over the percentage time of the weighing cycle from which the theoretical weight curve for each component can be determined relative to the theoretical weight of the said each component weight to be achieved in a weighing cycle.” Support for claim 46 can be found in the specification which states, “[o]f course, a computer integrated into control device 40 can also determine these two values directly from the desired production output. Since the filling capacity of weighing container 10 is given, the computer calculates the necessary number of weighing cycles and their time as well as the theoretical weight to be set for each weighing cycle. Using the set theoretical weight, the computer calculates the theoretical weight curve (figure 4) via the unit curve (figure 3) according to which theoretical weight curve the filling of weighing container 10 is controlled via a comparison of theoretical value and

actual value by a corresponding variation of the fiber delivery into weighing container 10. " (Page 7, lines 29-31, Page 8, lines 1-7)

Therefore, it is respectfully submitted that the present claims are described in the specification so as to reasonably convey to one skilled in the art that the inventor had possession of the claimed invention. Applicants respectfully request for the rejection to be removed.

Claim Rejections – 35 USC §102

In the Office Action, claims 1, 25, 26, 28-32, 40, 41, 45, and 46 were rejected under 35 U.S.C. §102(f). Specifically, it was stated that the "[t]here is nothing in the claim language that spells out the difference between the 'desired theoretical weight curve' of applicant's invention (Fig. 3) and the weight curve of the admitted prior art (the solid curve in Figure 6; see p. 14)." The claims are not anticipated by the prior art because, as currently amended, the claims more clearly define the theoretical weight curve of the Applicant's invention. As such, it is believed that the claims are in condition for allowance and Applicant's respectfully request that the rejection be removed.

Allowable Claims

In the Office Action, the Examiner indicated that claims 34, 37, and 43 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. The claims have been amended and rewritten in independent form and are thus allowable.

Applicants respectfully submit that in light of the amendments and arguments included herein, all claims are allowable and the application is in

condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at her convenience should she have any further questions regarding this matter or require any additional information.

Respectfully submitted,

DORITY & MANNING,
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Date

3/5/04



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